

Standing Appropriations Bill Senate File 516

Last Action:

Final Action

April 21, 2017

An Act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, concerning taxation, and providing for other properly related matters, and including effective date and retroactive applicability provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at <https://www.legis.iowa.gov/publications/information/appropriationBillAnalysis>

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FUNDING SUMMARY

This Bill makes adjustments to various General Fund standing appropriations and results in a net decrease in appropriations of \$12.2 million for FY 2018 and \$2.4 million for FY 2019. The Bill also transfers \$131.1 million from the Cash Reserve Fund to the General Fund for FY 2017.

Appropriates \$111.1 million from the General Fund to the Cash Reserve Fund for FY 2019.

Page 7, Line 9

FISCAL IMPACT: The appropriation fills up the State's reserve funds to the FY 2019 statutory maximum of \$763.2 million and results in an estimated surplus carryforward in the General Fund of \$76.6 million in FY 2019. This appropriation, in addition to the \$20.0 million appropriation in Section 14 of this Bill, fully reimburses the Cash Reserve Fund for the FY 2017 transfer of \$131.1 million to the General Fund.

NEW PROGRAMS, SERVICES, OR ACTIVITIES

Appropriates \$200,000 from the General Fund and authorizes 2.0 FTE positions to the Department of Public Safety for FY 2018 to expedite the processing of sexual abuse evidence collection kits.

Page 7, Line 14

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Limits the FY 2018 and FY 2019 General Fund appropriations to the Department of Education for nonpublic school transportation to \$8.2 million.

Page 3, Line 15

Limits the FY 2018 and FY 2019 General Fund standing appropriations to the Department of Education for the Sac and Fox Indian Settlement to \$96,000.

Page 3, Line 22

Reduces the FY 2018 standing appropriation to the Legislative Branch by \$400,000 and prohibits spending for out-of-state travel and organizational dues from the Legislative Branch budget for FY 2018.

Page 4, Line 9

FISCAL IMPACT: This will reduce Legislative Branch expenditures by approximately \$440,000 in FY 2018.

Suspends the General Fund standing appropriation of \$14.8 million to the Department of Education for the Instructional Support Program for FY 2018.

Page 4, Line 25

Reduces the FY 2018 State school aid funding to area education agencies (AEAs) by \$15.0 million.

Page 6, Line 12

Transfers \$131.1 million from the Cash Reserve Fund to the General Fund for FY 2017.

Page 6, Line 31

FISCAL IMPACT: The transfer is necessary to bring the FY 2017 General Fund budget into balance. The current balance in the Cash Reserve Fund, prior to this transfer, is \$553.5 million. This transfer will reduce the balance to \$422.4 million.

Appropriates \$20.0 million from the General Fund to the Cash Reserve Fund for FY 2018.

Page 7, Line 3

Appropriates \$107,000 to the Iowa Vocational Rehabilitation Services Division of the Department of Education for FY 2018 to meet federal maintenance of effort requirements.

Page 7, Line 26

FISCAL IMPACT: The appropriation will allow the Division to draw down an additional \$394,000 in federal funds.

Appropriates \$150,000 from the General Fund to the Governor's Office for gubernatorial transition costs for FY 2018.

Page 8, Line 5

STUDIES AND INTENT

Requires State agencies to submit FY 2019 budget information to the Department of Management (DOM) and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the Legislative Services Agency (LSA) concerning the provision of support data.

Page 2, Line 3

Requires the unobligated funds that State agencies are currently allowed to carry forward to FY 2018 and spend for training and technology or purchases of products from Iowa Prison Industries to revert to the General Fund at the close of FY 2017.

Page 5, Line 4

Requires the Salary Model Administrator to work with the LSA to maintain the State's salary model. Requires various departments to submit salary data to the DOM and the LSA.

Page 5, Line 25

Specifies that the General Assembly declares that the appropriation to the Secretary of State's Office (SOS) in [HF 640](#) (FY 2018 Administration and Regulation Appropriations Bill) is sufficient for the implementation of the voter identification card requirements specified in Division II of [HF 516](#) (Secretary of State Election Integrity Bill).

Page 11, Line 26

FISCAL IMPACT: The estimated cost of HF 516 to the SOS for FY 2018 ranges between \$200,000 and \$555,000, and the cost for FY 2019 is estimated to be approximately \$189,000. The provision implementing

the voter identification card requirement is contingent upon an appropriation from the General Assembly. Certain provisions of the Bill may result in increased costs to counties; however, specific cost information cannot be determined at this time.

Requires the Iowa Alcoholic Beverages Division (IABD) of the Department of Commerce to establish an interim study committee regarding enforcement issues related to alcoholic beverage control. The committee, with the support of relevant stakeholders, is charged with considering the manner of properly balancing the regulation, sale, and distribution of alcoholic liquor, wine, and beer in the State, as well as other issues related to the three-tier system. The Division will submit its findings in a report to the General Assembly by July 1, 2018.

Page 11, Line 33

SIGNIFICANT CODE CHANGES

Removes the assignment of space to the Judicial Branch in the Capitol building and requires the Legislative Council to provide the Judicial Branch with the use of space in the State Capitol for ceremonial purposes.

Page 8, Line 21

Creates a Technology Modernization Fund under the control of the SOS. Moneys in the Fund are appropriated to the SOS for purposes of modernizing technology used by the SOS to fulfill duties of the Office. Requires that no more than \$2.0 million will be credited to the Fund in a fiscal year. The Fund is repealed on July 1, 2022 (FY 2023).

Page 10, Line 4

Requires that sexual abuse evidence collection kits identified during a survey conducted by the Crime Victim Assistance Division of the Iowa Department of Justice (DOJ) in 2016 be maintained indefinitely by the law enforcement agencies possessing them. The law enforcement agencies are required to submit the kits for analysis at the request of the DOJ.

Page 12, Line 35

Repeals the Iowa Code chapter related to provisions that require no less than one-half of one percent of the total estimated cost of the construction of a State building be included for elements of fine arts in the plans and specifications of the building.

Page 13, Line 8

Provides numerous nonsubstantive corrective provisions to the Iowa Code and 2017 Iowa Acts.

Page 13, Line 9

Makes various changes to [House File 517](#) (Weapons Omnibus Act).

Page 18, Line 25

Excludes aboveground merchant lines from the definition of “public purpose” for the condemnation of private property.

Page 20, Line 32

Division VII of this Bill defines the term “delivery sale” for alternative nicotine and vapor products and subjects delivery sales to the sales/use tax. Page 22, Line 3

FISCAL IMPACT: This provision subjects alternative nicotine product and vapor sales made through nontraditional retail processes to existing permit fees and the sales/use tax. The State sales/use tax rate is 6.0%, with one percentage point of that tax rate dedicated to local school infrastructure funding and the remaining five percentage points benefiting the State General Fund.

EFFECTIVE DATE

Specifies that Section 8 of this Bill pertaining to the reversion of State agencies operating appropriations is effective upon enactment. Page 6, Line 23

Specifies that Section 13 of this Bill pertaining to the transfer of \$131.1 million from the Cash Reserve Fund to the General Fund for FY 2017 is effective upon enactment. Page 8, Line 13

Specifies that the section of this Bill amending [HF 517](#) (Weapons Omnibus Act) is effective upon enactment and applies retroactively to April 13, 2017. Page 20, Line 22

Specifies that Division VI of this Bill pertaining to the condemnation of private property for aboveground merchant lines is effective upon enactment. Page 20, Line 30

Specifies that Division VIII of this Bill pertaining to an appropriation to the Junior Angus Association is effective upon enactment. Page 26, Line 14

Senate File 516 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
6	12	11	Add	257.35.11A
8	21	20	Amend	2.43
9	9	21	Amend	8A.322.2
9	29	22	Amend	8C.7A.3.b
10	4	23	New	9.4A
10	19	24	Amend	270.10
11	18	25	Amend	321N.4.6
13	8	29	Repeal	304A
13	11	30	Amend New	22.13A.5.b
13	20	31	Amend	27.1
14	7	32	Amend	73A.26
14	14	33	Amend	80B.19.2
14	25	34	Amend New	84A.1A.1.a.(8).(b).(iii)
15	7	35	Amend	225D.1.8
15	18	36	Amend	261.9.2A.b
16	3	37	Amend	422.7.41.a.(1).(b)
18	27	46	Amend	724.2A
18	33	47	Amend	724.4C.1
19	6	48	Amend	724.17
19	33	49	Amend	724.22.9
20	8	50	Amend	726.6.1.i
20	32	55	Add	6A.21.1.0a
21	2	56	Amend	6A.21.1.b
21	9	57	Amend	6A.21.2
21	26	58	Amend	6A.22.2.a.(2)
22	5	61	Add	453A.1.7A
22	20	62	Amend	453A.1.20
22	33	63	Amend	453A.13.1
23	9	64	Amend	453A.13.2.a
23	24	65	Add	453A.42.2A
24	4	66	Amend	453A.42.8
24	15	67	Amend	453A.47A.1,3,6
25	6	68	New	453A.47B
25	25	69	New	453A.47C

2 1 DIVISION I
2 2 STANDING APPROPRIATIONS AND RELATED MATTERS

2 3 Section 1. BUDGET PROCESS FOR FISCAL YEAR 2018-2019.

2 4 1. For the budget process applicable to the fiscal year
2 5 beginning July 1, 2018, on or before October 1, 2017, in lieu
2 6 of the information specified in section 8.23, subsection
2 7 1, unnumbered paragraph 1, and section 8.23, subsection 1,
2 8 paragraph "a", all departments and establishments of the
2 9 government shall transmit to the director of the department
2 10 of management, on blanks to be furnished by the director,
2 11 estimates of their expenditure requirements, including every
2 12 proposed expenditure, for the ensuing fiscal year, together
2 13 with supporting data and explanations as called for by the
2 14 director of the department of management after consultation
2 15 with the legislative services agency.

Requires State agencies to submit FY 2019 budget information to the Department of Management (DOM) and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the Legislative Services Agency (LSA) concerning the provision of support data.

DETAIL: This requirement replaces the statutory budget submission requirements of Executive Branch agencies in Iowa Code section [8.23](#). Iowa Code section [8.23](#) requires that all departments to submit annual budgets based on 75.00% of the funding provided for in the current fiscal year. The budget requirements in section [8.23](#) have not been used since FY 2007.

2 16 2. The estimates of expenditure requirements shall be
2 17 in a form specified by the director of the department of
2 18 management, and the expenditure requirements shall include all
2 19 proposed expenditures and shall be prioritized by program or
2 20 the results to be achieved. The estimates shall be accompanied
2 21 by performance measures for evaluating the effectiveness of the
2 22 programs or results.

Requires budgeted expenditures to be prioritized by program or by expected results, including performance measures.

2 23 Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2019-2020.

2 24 1. For the budget process applicable to the fiscal year
2 25 beginning July 1, 2019, on or before October 1, 2018, in lieu
2 26 of the information specified in section 8.23, subsection
2 27 1, unnumbered paragraph 1, and section 8.23, subsection 1,
2 28 paragraph "a", all departments and establishments of the
2 29 government shall transmit to the director of the department
2 30 of management, on blanks to be furnished by the director,
2 31 estimates of their expenditure requirements, including every
2 32 proposed expenditure, for the ensuing fiscal year, together
2 33 with supporting data and explanations as called for by the
2 34 director of the department of management after consultation
2 35 with the legislative services agency.

Requires State agencies to submit FY 2020 budget information to the DOM and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the LSA concerning the provision of support data.

3 1 2. The estimates of expenditure requirements shall be
3 2 in a form specified by the director of the department of
3 3 management, and the expenditure requirements shall include all
3 4 proposed expenditures and shall be prioritized by program or
3 5 the results to be achieved. The estimates shall be accompanied
3 6 by performance measures for evaluating the effectiveness of the
3 7 programs or results.

Requires budgeted expenditures to be prioritized by program or by expected results, including performance measures.

3 8 Sec. 3. LIMITATIONS OF STANDING APPROPRIATIONS — FY
 3 9 2017-2018. Notwithstanding the standing appropriations
 3 10 in the following designated sections for the fiscal year
 3 11 beginning July 1, 2017, and ending June 30, 2018, the amounts
 3 12 appropriated from the general fund of the state pursuant to
 3 13 these sections for the following designated purposes shall not
 3 14 exceed the following amounts:

3 15 1. For payment of claims for nonpublic school
 3 16 transportation under section 285.2:
 3 17 \$ 8,197,091
 3 18 If total approved claims for reimbursement for nonpublic
 3 19 school pupil transportation exceed the amount appropriated in
 3 20 accordance with this subsection, the department of education
 3 21 shall prorate the amount of each approved claim.

CODE: Limits the FY 2018 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,197,091. Requires the appropriation to be prorated if the claims exceed the appropriation.

DETAIL: This represents a reduction of \$85,610 compared to estimated net FY 2017. This also represents a decrease of \$2,402,909 compared to the estimated standing unlimited appropriation of \$10,600,000 based on current law.

3 22 2. For distribution for the tribal council of the Sac and
 3 23 Fox Indian settlement for educating American Indian children
 3 24 under section 256.30:
 3 25 \$ 95,750

CODE: Limits the FY 2018 General Fund standing appropriation to the Department of Education for the Sac and Fox Indian Settlement to \$95,750.

DETAIL: This represents a reduction of \$500 compared to estimated net FY 2017. This also represents a decrease of \$4,250 compared to the estimated standing limited appropriation of \$100,000 based on current law.

3 26 Sec. 4. LIMITATIONS OF STANDING APPROPRIATIONS — FY
 3 27 2018-2019. Notwithstanding the standing appropriations
 3 28 in the following designated sections for the fiscal year
 3 29 beginning July 1, 2018, and ending June 30, 2019, the amounts
 3 30 appropriated from the general fund of the state pursuant to
 3 31 these sections for the following designated purposes shall not
 3 32 exceed the following amounts:

3 33 1. For payment of claims for nonpublic school
 3 34 transportation under section 285.2:
 3 35 \$ 8,197,091
 4 1 If total approved claims for reimbursement for nonpublic
 4 2 school pupil transportation exceed the amount appropriated in
 4 3 accordance with this subsection, the department of education
 4 4 shall prorate the amount of each approved claim.

CODE: Limits the FY 2019 General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,197,091. Requires the appropriation to be prorated if the claims exceed the appropriation.

DETAIL: This maintains the same level of funding as FY 2018.

4 5 2. For distribution for the tribal council of the Sac and
 4 6 Fox Indian settlement for educating American Indian children
 4 7 under section 256.30:
 4 8 \$ 95,750

CODE: Limits the FY 2019 General Fund standing appropriation to the Department of Education for the Sac and Fox Indian Settlement to \$95,750.

DETAIL: Maintains the same level of funding as FY 2018.

4 9 Sec. 5. GENERAL ASSEMBLY.
 4 10 1. The appropriations made pursuant to section 2.12 for the
 4 11 expenses of the general assembly and legislative agencies for
 4 12 the fiscal year beginning July 1, 2017, and ending June 30,
 4 13 2018, are reduced by the following amount:
 4 14 \$ 400,000
 4 15 2. The budgeted amounts for the general assembly and
 4 16 legislative agencies for the fiscal year beginning July 1,
 4 17 2017, may be adjusted to reflect the unexpended budgeted
 4 18 amounts from the previous fiscal year.

CODE: Reduces the FY 2018 standing appropriation to the Legislative Branch by \$400,000 and permits unexpended funds budgeted during FY 2017 to carry forward to FY 2018.

4 19 3. Annual membership dues for organizations, associations,
 4 20 and conferences shall not be paid from moneys appropriated
 4 21 pursuant to section 2.12.
 4 22 4. Costs for out-of-state travel and per diems for
 4 23 out-of-state travel shall not be paid from moneys appropriated
 4 24 pursuant to section 2.12.

Prohibits the Legislative Branch from expending funds from the standing unlimited appropriation for annual membership dues to organizations and costs associated with out-of-state travel.

FISCAL IMPACT: This will reduce Legislative Branch expenditures by approximately \$440,000 in FY 2018.

4 25 Sec. 6. INSTRUCTIONAL SUPPORT STATE AID — FY 2017-2018. In
 4 26 lieu of the appropriation provided in section 257.20,
 4 27 subsection 2, the appropriation for the fiscal year
 4 28 beginning July 1, 2017, and ending June 30, 2018, for paying
 4 29 instructional support state aid under section 257.20 for such
 4 30 fiscal years is zero.

Suspends the General Fund standing appropriation of \$14,800,000 for the Instructional Support Program for FY 2018.

DETAIL: Although no State funding will be provided for the Instructional Support Program, school districts may use local property tax and income surtax to fund their portion of the Program. In FY 2017, 327 districts (98.20%) implemented the Program and generated \$224,162,000 in local taxes (\$90,292,000 in income surtax and \$133,870,000 in property taxes).

4 31 Sec. 7. SPECIAL FUNDS — SALARY ADJUSTMENTS — FY 2017-2018
 4 32 — FY 2018-2019. For the fiscal year beginning July 1, 2017,
 4 33 and ending June 30, 2018, and for the fiscal year beginning
 4 34 July 1, 2018, and ending June 30, 2019, salary adjustments may
 4 35 be funded using departmental revolving, trust, or special funds
 5 1 for which the general assembly has established an operating
 5 2 budget, provided that doing so does not exceed the operating
 5 3 budget established by the general assembly.

Permits salary adjustments to be funded from revolving, trust, or special funds for FY 2018 and FY 2019, as long as the funding does not exceed the operating budgets established by the General Assembly.

5 4 Sec. 8. OPERATIONAL APPROPRIATIONS — REVERSION — FY
 5 5 2016-2017. Notwithstanding section 8.62, at the close of
 5 6 the fiscal year beginning July 1, 2016, and ending June 30,
 5 7 2017, any balance of an operational appropriation that remains
 5 8 unexpended or unencumbered shall not be encumbered or deposited
 5 9 in the cash reserve fund as provided in section 8.62, but shall

Requires unobligated funds that State agencies are currently allowed to carry forward to FY 2018 and spend for training and technology or purchases of products from Iowa Prison Industries to revert to the General Fund at the close of FY 2017.

DETAIL: Iowa Code section [8.62](#) permits departments to carry forward

5 10 instead revert to the general fund of the state at the close of
5 11 the fiscal year as provided in section 8.33.

50.00% of the previous year's unobligated funds from a General Fund appropriation to be used for operating purposes. The funds must be used for training and technology or purchases of products from Iowa Prison Industries. This provision requires the funds to revert to the General Fund at the close of FY 2017.

NOTE: The amount that State agencies carry forward from year to year can vary significantly. State agencies carried forward and expended approximately \$3,800,000 of these funds in FY 2016.

5 12 Sec. 9. SPECIAL FUNDS — SALARY ADJUSTMENTS —
5 13 UNAPPROPRIATED MONEYS — FY 2017-2018 — FY 2018-2019. For the
5 14 fiscal year beginning July 1, 2017, and ending June 30, 2018,
5 15 and for the fiscal year beginning July 1, 2018, and ending
5 16 June 30, 2019, salary adjustments otherwise provided may be
5 17 funded as determined by the department of management using
5 18 unappropriated moneys remaining in the department of commerce
5 19 revolving fund, the gaming enforcement revolving fund, the
5 20 gaming regulatory revolving fund, the primary road fund, the
5 21 road use tax fund, the fish and game protection fund, the Iowa
5 22 public employees' retirement fund, and in other departmental
5 23 revolving, trust, or special funds for which the general
5 24 assembly has not made an operating budget appropriation.

Permits salary adjustment to be funded from unappropriated moneys remaining in various revolving, trust, or special funds for FY 2018 and FY 2019, for which the General Assembly has not established an operating budget.

5 25 Sec. 10. SALARY MODEL ADMINISTRATOR. The salary model
5 26 administrator shall work in conjunction with the legislative
5 27 services agency to maintain the state's salary model used for
5 28 analyzing, comparing, and projecting state employee salary
5 29 and benefit information, including information relating to
5 30 employees of the state board of regents. The department of
5 31 revenue, the department of administrative services, the five
5 32 institutions under the jurisdiction of the state board of
5 33 regents, the judicial district departments of correctional
5 34 services, and the state department of transportation shall
5 35 provide salary data to the department of management and the
6 1 legislative services agency to operate the state's salary
6 2 model. The format and frequency of provision of the salary
6 3 data shall be determined by the department of management and
6 4 the legislative services agency. The information shall be
6 5 used in collective bargaining processes under chapter 20 and
6 6 in calculating the funding needs contained within the annual
6 7 salary adjustment legislation. A state employee organization
6 8 as defined in section 20.3, subsection 4, may request
6 9 information produced by the model, but the information provided
6 10 shall not contain information attributable to individual
6 11 employees.

Requires the Salary Model Administrator to work with the LSA to maintain the State's salary model. Requires various departments to submit salary data to the DOM and the LSA.

6 12 Sec. 11. Section 257.35, Code 2017, is amended by adding the
 6 13 following new subsection:
 6 14 NEW SUBSECTION 11A. Notwithstanding subsection 1, and in
 6 15 addition to the reduction applicable pursuant to subsection
 6 16 2, the state aid for area education agencies and the portion
 6 17 of the combined district cost calculated for these agencies
 6 18 for the fiscal year beginning July 1, 2017, and ending June
 6 19 30, 2018, shall be reduced by the department of management by
 6 20 fifteen million dollars. The reduction for each area education
 6 21 agency shall be prorated based on the reduction that the agency
 6 22 received in the fiscal year beginning July 1, 2003.

CODE: Reduces the FY 2018 State school aid funding to area education agencies (AEAs) by \$15,000,000.

DETAIL: In addition to the \$15,000,000 State aid reduction for FY 2018, the AEAs have an annual statutory reduction of \$7,500,000. The State aid reduction to the AEAs will total \$22,500,000 for FY 2018.

6 23 Sec. 12. EFFECTIVE UPON ENACTMENT. The following provision
 6 24 or provisions of this division of this Act, being deemed of
 6 25 immediate importance, take effect upon enactment:
 6 26 1. The section of this division of this Act reverting to
 6 27 the general fund any unexpended or unencumbered moneys from
 6 28 operational appropriations.

Specifies that Section 8 of this Bill pertaining to the reversion of State agencies' operating appropriations is effective upon enactment.

6 29 DIVISION II
 6 30 MISCELLANEOUS APPROPRIATIONS

6 31 Sec. 13. TRANSFER FROM CASH RESERVE FUND. Notwithstanding
 6 32 section 8.56, subsection 3 and subsection 4, paragraph "a",
 6 33 there is transferred from the cash reserve fund created in
 6 34 section 8.56 to the general fund of the state for the fiscal
 6 35 year beginning July 1, 2016, and ending June 30, 2017, the
 7 1 following amount:
 7 2 \$ 131,100,000

Transfers \$131,100,000 from the Cash Reserve Fund to the General Fund for FY 2017.

FISCAL IMPACT: The transfer is necessary to bring the FY 2017 General Fund budget into balance. The current balance in the Cash Reserve Fund, prior to this transfer, is \$553,500,000. This transfer will reduce the balance to \$422,400,000.

7 3 Sec. 14. CASH RESERVE FUND APPROPRIATION — FY
 7 4 2017-2018. There is appropriated from the general fund of the
 7 5 state to the cash reserve fund created in section 8.56 for the
 7 6 fiscal year beginning July 1, 2017, and ending June 30, 2018,
 7 7 the following amount:
 7 8 \$ 20,000,000

General Fund appropriation of \$20,000,000 to the Cash Reserve Fund for FY 2018.

DETAIL: The appropriation is intended to partially reimburse the Cash Reserve Fund for the FY 2017 transfer of \$131,100,000 to the General Fund referenced in Section 13 of this Bill.

7 9 Sec. 15. CASH RESERVE FUND APPROPRIATION — FY
 7 10 2018-2019. There is appropriated from the general fund of the
 7 11 state to the cash reserve fund for the fiscal year beginning
 7 12 July 1, 2018, and ending June 30, 2019, the following amount:
 7 13 \$ 111,100,000

General Fund appropriation to the Cash Reserve Fund for FY 2019.

FISCAL IMPACT: The appropriation fills up the Cash Reserve Fund and Economic Emergency Fund to the FY 2019 statutory maximum of \$763,200,000 and results in an estimated surplus carryforward in the General Fund of \$76,600,000 in FY 2019. This appropriation, in addition to the \$20,000,000 appropriation in Section 14 of this Bill, fully reimburses the Cash Reserve Fund for the FY 2017 transfer of \$131,100,000 to the General Fund referenced in Section 13 of this Bill.

7 14 Sec. 16. SEXUAL ABUSE EVIDENCE COLLECTION KITS. There
 7 15 is appropriated from the general fund of the state to the
 7 16 department of public safety for the fiscal year beginning July
 7 17 1, 2017, and ending June 30, 2018, the following amount, or
 7 18 so much thereof as is necessary, to be used for the purposes
 7 19 designated:
 7 20 For expediting the processing of sexual abuse evidence
 7 21 collection kits, including salaries, support, maintenance,
 7 22 miscellaneous purposes, and for not more than the following
 7 23 full-time equivalent positions:
 7 24 \$ 200,000
 7 25 FTEs 2.00

7 26 Sec. 17. DEPARTMENT OF EDUCATION — VOCATIONAL
 7 27 REHABILITATION SERVICES DIVISION.
 7 28 1. There is appropriated from the general fund of the state
 7 29 to the department of education for the fiscal year beginning
 7 30 July 1, 2017, and ending June 30, 2018, the following amount,
 7 31 or so much thereof as is necessary, to be used for the purposes
 7 32 designated:
 7 33 For purposes of meeting federal maintenance of effort
 7 34 requirements:
 7 35 \$ 106,705
 8 1 2. Moneys appropriated in this section shall supplement,
 8 2 not supplant, moneys appropriated for the same purposes in 2017
 8 3 Iowa Acts, House File 642, section 5, subsection 3, paragraph
 8 4 "a".

8 5 Sec. 18. GUBERNATORIAL TRANSITION. There is appropriated
 8 6 from the general fund of the state to the offices of the
 8 7 governor and the lieutenant governor for the fiscal year
 8 8 beginning July 1, 2017, and ending June 30, 2018, the following
 8 9 amount, or so much thereof as is necessary, to be used for the
 8 10 purposes designated:
 8 11 For expenses incurred during the gubernatorial transition:
 8 12 \$ 150,000

8 13 Sec. 19. EFFECTIVE UPON ENACTMENT. The following provision
 8 14 or provisions of this division of this Act, being deemed of
 8 15 immediate importance, take effect upon enactment:
 8 16 1. The section of this division of this Act transferring
 8 17 moneys from the cash reserve fund to the general fund of the

General Fund appropriation to the Department of Public Safety for FY 2018 to expedite the processing of sexual abuse evidence collection kits.

DETAIL: [House File 2420](#) (2016 Untested Sexual Abuse Evidence Collection Kits Act) required the DOJ to conduct a survey of Iowa law enforcement agencies to determine the number of untested sexual abuse evidence collection kits. A survey conducted by the DOJ provided information that there are currently 4,265 unsubmitted sexual abuse evidence collection kits in the State. A total of \$3,000,000 in federal funds has been awarded to the State of Iowa to identify the number of untested sexual abuse evidence collection kits existing within Iowa law enforcement agencies. The funds allow for the testing of the kits and provide support for law enforcement investigations and prosecutions derived from the kits tested. The Division of Criminal Investigation will contract with private laboratories to test unsubmitted kits.

General Fund appropriation to the Iowa Vocational Rehabilitation Services Division of the Department of Education for FY 2018 to meet federal maintenance of effort requirements. Requires that the moneys appropriated in this Section will supplement, not supplant, the moneys appropriated for the same purposes in [HF 642](#) (FY 2018 Education Appropriations Bill).

FISCAL IMPACT: The appropriation will allow the Division to draw down an additional \$394,300 in federal funds.

General Fund appropriation for FY 2018 to the Governor's Office for gubernatorial transition costs.

Specifies that the transfer of \$131,100,000 from the Cash Reserve Fund to the General Fund for FY 2017 is effective upon enactment.

8 18 state for the fiscal year beginning July 1, 2016.

8 19 DIVISION III
8 20 MISCELLANEOUS PROVISIONS

8 21 Sec. 20. Section 2.43, unnumbered paragraph 1, Code 2017,
8 22 is amended to read as follows:

8 23 The legislative council in cooperation with the officers of
8 24 the senate and house shall have the duty and responsibility for
8 25 preparing for each session of the general assembly. Pursuant
8 26 to such duty and responsibility, the legislative council
8 27 shall assign the use of areas in the state capitol except for
8 28 the areas used by the governor as of January 1, 1986, ~~and by~~
8 29 ~~the courts as of July 1, 2003~~, and, in consultation with the
8 30 director of the department of administrative services and the
8 31 capitol planning commission, may assign areas in other state
8 32 office buildings, except for the judicial branch building.
8 33 for use of the general assembly or legislative agencies.
8 34 The legislative council shall provide the courts with use
8 35 of space in the state capitol for ceremonial purposes. The
9 1 legislative council may authorize the renovation, remodeling
9 2 and preparation of the physical facilities used or to be used
9 3 by the general assembly or legislative agencies subject to the
9 4 jurisdiction of the legislative council and award contracts
9 5 pursuant to such authority to carry out such preparation. The
9 6 legislative council may purchase supplies and equipment deemed
9 7 necessary for the proper functioning of the legislative branch
9 8 of government.

9 9 Sec. 21. Section 8A.322, subsection 2, Code 2017, is amended
9 10 to read as follows:

9 11 2. Except for buildings and grounds described in section
9 12 216B.3, subsection 6; section 2.43, unnumbered paragraph 1; and
9 13 any buildings under the custody and control of the Iowa public
9 14 employees' retirement system, the director shall assign office
9 15 space at the capitol, other state buildings, and elsewhere in
9 16 the city of Des Moines, and the state laboratories facility
9 17 in Ankeny, for all executive and judicial state agencies.
9 18 Assignments may be changed at any time. The various officers
9 19 to whom rooms have been so assigned may control the same while
9 20 the assignment to them is in force. Official apartments shall
9 21 be used only for the purpose of conducting the business of the
9 22 state. The term "capitol" or "capitol building" as used in the
9 23 Code shall be descriptive of all buildings upon the capitol
9 24 grounds. The capitol building itself is reserved for the
9 25 operations of the general assembly; ~~and the governor, and, for~~
9 26 ~~ceremonial purposes, for the courts and the.~~ The assignment
9 27 and use of physical facilities for the general assembly shall

CODE: Removes the assignment of space to the Judicial Branch in the Capitol building and requires the Legislative Council to provide the Judicial Branch with the use of space in the State Capitol for ceremonial purposes.

CODE: Makes changes to conform Iowa Code section [8A.322\(2\)](#) to section [2.43](#), reserving the Capitol building for use by the Judicial Branch for ceremonial purposes only.

9 28 be pursuant to section 2.43.

9 29 Sec. 22. Section 8C.7A, subsection 3, paragraph b,
9 30 unnumbered paragraph 1, if enacted by 2017 Iowa Acts, Senate
9 31 File 431, is amended to read as follows:

CODE: Amends [SF 431](#) (Small Wireless Facility Siting Bill) to make a technical change clarifying that the type of permit required by an authority is not a building permit, but rather a permit that sets forth certain conditions for siting a small wireless facility.

9 32 An authority shall not require a person to apply for or
9 33 enter into an individual license, franchise, or other agreement
9 34 with the authority or any other entity for the siting of
9 35 a small wireless facility on a utility pole located in a
10 1 public right-of-way. However, an authority may, through the
10 2 conditions set forth in a ~~building~~ permit obtained pursuant to
10 3 this subsection, do any of the following:

10 4 Sec. 23. NEW SECTION 9.4A TECHNOLOGY MODERNIZATION FUND.

CODE: Creates a Technology Modernization Fund under the control of the Secretary of State's Office (SOS). Moneys in the Fund are appropriated to the SOS for purposes of modernizing technology used by the SOS to fulfill duties of the Office.

10 5 1. A technology modernization fund is created in the state
10 6 treasury under the control of the secretary of state. Moneys
10 7 in the fund are appropriated to the secretary of state for
10 8 purposes of modernizing technology used by the secretary of
10 9 state to fulfill the duties of office.

DETAIL: Beginning in FY 2018, the amount collected by the SOS from increased fees will be credited to the Technology Modernization Fund. The amount deposited is the difference between fees collected on or after July 1, 2017, compared to the amount assessed for the same fees on June 30, 2017. Requires that no more than \$2,000,000 will be credited to the Fund in a fiscal year. The Fund is repealed on July 1, 2022 (FY 2023).

10 10 2. On and after July 1, 2017, any increased fee amount
10 11 collected by the secretary of state shall be credited to the
10 12 technology modernization fund. From each fee collected, the
10 13 amount credited to the fund equals the difference between the
10 14 fee amount collected and the amount assessed for the same fee
10 15 on June 30, 2017.

10 16 3. Each fiscal year, not more than two million dollars shall
10 17 be credited to the fund.

10 18 4. This section is repealed July 1, 2022.

10 19 Sec. 24. Section 270.10, Code 2017, is amended to read as
10 20 follows:

CODE: Permits the sale of the property of the Iowa Braille and Sight Saving School as authorized in [HF 642](#) (FY 2018 Education Appropriations Bill).

10 21 270.10 MERGER REQUIREMENTS.

10 22 1. The state board of regents shall not merge the school
10 23 for the deaf at Council Bluffs with the Iowa braille and sight
10 24 saving school at Vinton or close either of those institutions
10 25 until all of the following requirements have been met:

10 26 ~~1.~~ a. The department of management has presented to the
10 27 general assembly a comprehensive plan, program, and fiscal
10 28 analysis of the existing circumstances and the circumstances
10 29 which would prevail upon the proposed merger or closing,
10 30 together with data which would support the contention that
10 31 the merger or closing will be more efficient and effective
10 32 than continuation of the existing facilities. The analysis
10 33 shall include a detailed study of the educational implications
10 34 of the merger or closing, the impact on the students, and
10 35 the opinions and research of nationally recognized experts
11 1 in the field of the education of visually impaired and deaf
11 2 students. The comprehensive plan shall further include a

11 3 study relating to the programming, fiscal consequences, and
 11 4 political implications which would result if either a merger or
 11 5 an agreement under chapter 28E should be implemented between
 11 6 the school for the deaf in Council Bluffs and comparable state
 11 7 programs in the state of Nebraska.
 11 8 ~~—2. b. The general assembly has studied the plans, programs,~~
 11 9 ~~and fiscal analysis and has reviewed their impact on the~~
 11 10 ~~programs.~~
 11 11 ~~—3. c. The general assembly has enacted legislation~~
 11 12 ~~authorizing either the closing or the merger to take effect not~~
 11 13 ~~sooner than two years after the enactment of the legislation.~~
 11 14 2. This section shall not apply to an agreement related to
 11 15 the sale or transfer of the property of the Iowa braille and
 11 16 sight saving school at Vinton entered into between the state
 11 17 of Iowa and the city of Vinton.

11 18 Sec. 25. Section 321N.4, subsection 6, Code 2017, is amended
 11 19 to read as follows:
 11 20 6. Insurance maintained under this chapter shall be
 11 21 provided by an insurer governed by chapter 515 ~~or 518~~, or by a
 11 22 surplus lines insurer governed by chapter 515I. ~~A surplus lines~~
 11 23 ~~insurer that issues a policy pursuant to this section shall be~~
 11 24 ~~considered an insurance carrier duly authorized to transact~~
 11 25 ~~business in this state for the purposes of chapter 321A.~~

11 26 Sec. 26. EFFECTIVENESS AND IMPLEMENTATION. The general
 11 27 assembly declares that the appropriation from the general fund
 11 28 of the state to the secretary of state, serving as the state
 11 29 commissioner of elections, made pursuant to 2017 Iowa Acts,
 11 30 House File 640, section 21, subsection 1, is sufficient for the
 11 31 implementation of section 48A.10A contained in 2017 Iowa Acts,
 11 32 House File 516.

CODE: Requires primary automobile insurance coverage maintained by a transportation network company driver or a transportation network company on the driver's behalf be provided by an insurer regulated pursuant to Iowa Code chapters [515](#) and [515I](#).

Specifies that the General Assembly declares that the appropriation to the SOS in [HF 640](#) (FY 2018 Administration and Regulation Appropriations Bill) is sufficient for the implementation of the voter identification card requirements specified in Division II of [HF 516](#) (Secretary of State Election Integrity Bill).

DETAIL: The FY 2018 General Fund appropriation to the SOS for administration and elections is \$2,125,518. This is an increase of \$700,000 compared to estimated net FY 2017.

FISCAL IMPACT: The estimated cost of HF 516 to the SOS for FY 2018 ranges between \$200,000 and \$555,000, and the cost for FY 2019 is estimated to be approximately \$189,000. The provision implementing the voter identification card requirement is contingent upon an appropriation from the General Assembly. Certain provisions of the Bill may result in increased costs to counties; however, specific cost information cannot be determined at this time.

11 33 Sec. 27. ALCOHOLIC BEVERAGE CONTROL — STUDY.
 11 34 1. It is the intent of the general assembly that the
 11 35 three-tiered system of regulating the alcohol beverage industry
 12 1 is critical to maintaining a fair and competitive marketplace.

Allows the Division Administrator of the IABD to defer on a final determination regarding license eligibility of an applicant, if that applicant has a conflict with business interests pursuant to Iowa Code section [123.45](#). Deferment of a licensing decision may occur during the

12 2 The study required by this section does not preclude the
 12 3 alcoholic beverages division from applying regulatory
 12 4 discretion that aligns with the performance of the powers and
 12 5 duties granted to the administrator in chapter 123.
 12 6 2. The alcoholic beverages division of the department of
 12 7 commerce, in conjunction with other stakeholders the division
 12 8 deems necessary, shall conduct a study concerning enforcement
 12 9 issues related to alcoholic beverage control, including
 12 10 consideration of the manner of properly balancing appropriate
 12 11 regulation of the manufacturing, distribution, and sale of
 12 12 alcoholic liquor, wine, and beer in this state with emerging
 12 13 trends in the industry.
 12 14 3. In conducting the study, the division shall consider
 12 15 any other relevant issues the division identifies for study,
 12 16 issues relating to the three-tiered system and section 123.45,
 12 17 as it impacts the ability of manufacturers, wholesalers, and
 12 18 retailers to meet changing marketplace conditions and business
 12 19 opportunities.
 12 20 4. By July 1, 2018, the division shall submit a final report
 12 21 to the general assembly. The report shall provide the results
 12 22 of the study including any findings and recommendations.
 12 23 5. During the time period of the study and consideration of
 12 24 the issue by the general assembly during the 2019 legislative
 12 25 session, if an applicant has a conflict with section 123.45,
 12 26 subsection 1, paragraphs "c" or "d", the administrator
 12 27 may elect to defer on a final determination regarding the
 12 28 eligibility and issue a temporary license or permit with
 12 29 conditions, if applicable. In making a determination of
 12 30 whether to defer on a final determination, the administrator
 12 31 shall balance regulatory principles and practices that ensure a
 12 32 fair and competitive marketplace with the protections of the
 12 33 public interests as provided in chapter 123.
 12 34 6. This section is repealed July 1, 2019.

12 35 Sec. 28. SEXUAL ABUSE EVIDENCE COLLECTION KITS. Any sexual
 13 1 abuse evidence collection kit identified by a jurisdictional
 13 2 law enforcement agency through the inventory required pursuant
 13 3 to 2016 Iowa Acts, chapter 1042, shall be maintained by the law
 13 4 enforcement agency indefinitely. A law enforcement agency in
 13 5 possession of any sexual abuse evidence kit identified through
 13 6 the inventory shall submit for analysis any kit at the request
 13 7 of the department of justice.

time of the interim study and consideration of the issue during the 2019 Legislative Session. In making a final decision, the administrator is required to balance regulatory practices and principles to ensure public protection and a fair, competitive market place.

Clarifies that it is the intent of the General Assembly that the system currently utilized to regulate the alcoholic beverage industry, the three-tier system, is critical to maintaining a fair and competitive marketplace. The interim study established in this section precludes the IABD from applying regulatory discretion in accordance with the powers of the Division administrator pursuant to Iowa Code chapter [123](#).

Requires the IABD to establish an interim study committee regarding enforcement issues related to alcoholic beverage control. The committee, with the support of relevant stakeholders, is charged with considering the manner of properly balancing the regulation, sale, and distribution of alcoholic liquor, wine, and beer in the State. Such considerations are to include any issues related to the three-tier system of alcohol distribution and how it impacts manufacturers, wholesalers, and retailers adapting to changing market place conditions and opportunities. The Division will submit its findings in a report to the General Assembly by July 1, 2018. This Section is repealed July 1, 2019.

CODE: Requires that sexual abuse evidence collection kits identified during a survey conducted by the Crime Victim Assistance Division of the Iowa Department of Justice (DOJ) in 2016 be maintained indefinitely by the law enforcement agencies possessing them. The law enforcement agencies are required to submit the kits for analysis at the request of the DOJ.

DETAIL: [House File 2420](#) (2016 Untested Sexual Abuse Evidence Collection Kits Act) required the DOJ to conduct a survey of Iowa law enforcement agencies to determine the number of untested sexual abuse evidence collection kits. A survey conducted by the DOJ provided information that there are currently 4,265 unsubmitted sexual abuse evidence collection kits in the State. A total of \$3,000,000 in federal funds has been awarded to the State of Iowa to identify the

number of untested sexual abuse evidence collection kits existing within Iowa law enforcement agencies. The funds allow for the testing of the kits and provide support for law enforcement investigations and prosecutions derived from the kits tested. The Division of Criminal Investigation will contract with private laboratories to test unsubmitted kits.

NOTE: Section 16 of this Bill appropriates \$200,000 from the General Fund and 2.00 FTE positions to the Department of Public Safety for FY 2018 to expedite the processing of sexual abuse evidence collection kits.

13 8 Sec. 29. REPEAL. Chapter 304A, Code 2017, is repealed.

CODE: Repeals the Iowa Code chapter related to provisions that require no less than one-half of one percent of the total estimated cost of the construction of a State building be included for elements of fine arts in the plans and specifications of the building.

13 9 DIVISION IV
13 10 CORRECTIVE PROVISIONS

13 11 Sec. 30. Section 22.13A, subsection 5, paragraph b, as
13 12 enacted by 2017 Iowa Acts, House File 291, section 51, is
13 13 amended to read as follows:

13 14 b. If paragraph "a", subparagraph (1) or (2) is not
13 15 consistent with the provision of a collective bargaining
13 16 agreement, a state agency shall provide the individuals
13 17 referenced in this subsection, as applicable, with regular
13 18 reports regarding any personnel settlement agreements entered
13 19 into with state employees by the state agency.

CODE: Corrective provision for [HF 291](#) (2017 Public Employment Reform Act).

DETAIL: This Act was approved by the General Assembly on February 16, 2017, and signed by the Governor on February 17, 2017.

13 20 Sec. 31. Section 27.1, as enacted by 2017 Iowa Acts, Senate
13 21 File 499, section 1, is amended to read as follows:

13 22 27.1 DEFINITIONS.

13 23 ~~1.~~ For purposes of this ~~section~~ chapter:

13 24 ~~a.~~ 1. "Monitoring device" means a digital video or audio
13 25 streaming or recording device that is part of a system of
13 26 monitoring activity in an area or building using a system in
13 27 which signals are transmitted from a video camera or microphone
13 28 to the receivers by cables or wirelessly, forming a closed
13 29 circuit.

13 30 ~~b.~~ 2. "Public hospital" means a hospital licensed pursuant
13 31 to chapter 135B and governed pursuant to chapter 145A, 263,
13 32 347, 347A, or 392.

13 33 ~~c.~~ 3. "Public library" means a library district as
13 34 described in chapter 336.

13 35 ~~d.~~ 4. "Public school" means a school district as described
14 1 in chapter 274.

CODE: Corrective provision for [SF 499](#) (Prohibition of Certain Monitoring Devices Bill).

DETAIL: This Bill was approved by the General Assembly on April 19, 2017.

14 2 —e. 5. “Reasonable expectation of privacy” means a person’s
14 3 reasonable belief, under the circumstances, that the person can
14 4 disrobe or partially disrobe in privacy without being concerned
14 5 that the person is being viewed, photographed, or filmed when
14 6 doing so.

14 7 Sec. 32. Section 73A.26, as enacted by 2017 Iowa Acts,
14 8 Senate File 438, section 6, is amended to read as follows:
14 9 73A.26 PURPOSE.

14 10 The purpose of this ~~chapter~~ subchapter is to provide for
14 11 more economical, nondiscriminatory, neutral, and efficient
14 12 procurement of construction-related goods and services by this
14 13 state and political subdivisions of this state.

14 14 Sec. 33. Section 80B.19, subsection 2, if enacted by 2017
14 15 Iowa Acts, Senate File 509, section 22, is amended to read as
14 16 follows:

14 17 2. Internal training funds in the internal training
14 18 clearing fund shall be administered by the academy and shall
14 19 consist of moneys collected by the academy from billings issued
14 20 in accordance with this chapter ~~80B~~, and any other moneys
14 21 obtained or accepted by the academy, including but not limited
14 22 to gifts, loans, donations, grants, and contributions, which
14 23 are obtained or designated to support the activities of the
14 24 academy.

14 25 Sec. 34. Section 84A.1A, subsection 1, paragraph a,
14 26 subparagraph (8), subparagraph division (b), subparagraph
14 27 subdivision (iii), as enacted by 2017 Iowa Acts, House File
14 28 572, section 1, is amended to read as follows:

14 29 (iii) Two representatives of community-based organizations
14 30 that have demonstrated experience and expertise in addressing
14 31 the employment, training, or education needs of individuals
14 32 with barriers to employment as defined in the federal Workforce
14 33 Innovation and Opportunity Act, Pub.L. No.113-128, §3(24),
14 34 including but not limited to organizations that serve veterans;
14 35 or that provide or support competitive, integrated employment
15 1 for individuals with disabilities; or that serve eligible
15 2 youth, as defined in the federal Workforce Innovation and
15 3 Opportunity Act, Pub.L. No.113-128, §3(18), including
15 4 representatives of organizations that serve out-of-school
15 5 youth, as defined in the federal Workforce Innovation and
15 6 Opportunity Act, Pub.L. No.113-128, §129(a)(1)(B).

15 7 Sec. 35. Section 225D.1, subsection 8, Code 2017, as amended
15 8 by 2017 Iowa Acts, House File 215, section 1, is amended to
15 9 read as follows:

15 10 8. “Eligible individual” means a child less than fourteen

CODE: Corrective provision for [SF 438](#) (Public Improvements Bidding and Contracting Act).

DETAIL: This Act was approved by the General Assembly on April 4, 2017, and signed by the Governor on April 13, 2017.

CODE: Corrective provision for [SF 509](#) (FY 2018 Justice System Appropriations Bill).

DETAIL: This Bill was approved by the General Assembly on April 19, 2017.

CODE: Corrective provision for [HF 572](#) (2017 Workforce Development Board Membership and Eligibility Act).

DETAIL: This Act was approved by the General Assembly on April 3, 2017, and signed by the Governor on April 13, 2017.

CODE: Corrective provision for [HF 215](#) (2017 Health Insurance Policies Act).

DETAIL: This Act was approved by the General Assembly on March

15 11 years of age who has been diagnosed with autism based on a
15 12 diagnostic assessment of autism, is not otherwise eligible for
15 13 coverage for applied behavioral analysis treatment or applied
15 14 behavior analysis treatment under the medical assistance
15 15 program, section 514C.28, 514C.31, or other private insurance
15 16 coverage, and whose household income does not exceed five
15 17 hundred percent of the federal poverty level.

23, 2017, and signed by the Governor on March 30, 2017.

15 18 Sec. 36. Section 261.9, subsection 2A, paragraph b, if
15 19 enacted by 2017 Iowa Acts, House File 642, section 15, is
15 20 amended to read as follows:
15 21 b. Is a barber school licensed under section 158.7 or
15 22 a school of cosmetology arts and sciences licensed under
15 23 chapter 157 and is accredited by a national accrediting agency
15 24 recognized by the United States department of education. For
15 25 the fiscal year beginning July 1, 2017, an eligible institution
15 26 under this paragraph shall provide a matching aggregate amount
15 27 of institutional financial aid equal to at least seventy-five
15 28 percent of the amount received by the institution's students
15 29 for Iowa tuition grant assistance under section 261.16A.
15 30 For the fiscal year beginning July 1, 2018, the institution
15 31 shall provide a matching aggregate amount of institutional
15 32 financial aid equal to at least eighty-five percent of the
15 33 amount received in that fiscal year. Commencing with the
15 34 fiscal year beginning July 1, 2019, and each succeeding fiscal
15 35 year, the matching aggregate amount of institutional financial
16 1 aid shall be at least equal to the match provided by eligible
16 2 institutions under ~~section 261.16A, subsection 2~~ paragraph "a".

CODE: Corrective provision for [HF 642](#) (FY 2018 Education Appropriations Bill).

DETAIL: This Bill was approved by the General Assembly on April 18, 2017.

16 3 Sec. 37. Section 422.7, subsection 41, paragraph a,
16 4 subparagraph (1), subparagraph division (b), as enacted by 2017
16 5 Iowa Acts, Senate File 505, section 1, is amended to read as
16 6 follows:
16 7 (b) For the tax year beginning in the 2018 calendar year
16 8 and for each subsequent tax year, the director shall multiply
16 9 each dollar amount set forth in subparagraph division (a).
16 10 subparagraph subdivisions (i) and (ii) by the latest cumulative
16 11 inflation factor, shall round off the resulting product to
16 12 the nearest one dollar, and shall incorporate the result into
16 13 the income tax forms and instructions for each tax year. For
16 14 purposes of this subparagraph division, "cumulative inflation
16 15 factor" means the product of the annual inflation factor for
16 16 the 2018 calendar year and all annual inflation factors for
16 17 subsequent calendar years as determined by section 422.4,
16 18 subsection 1, paragraph "a". The cumulative inflation factor
16 19 applies to all tax years beginning on or after January 1 of
16 20 the calendar year for which the latest annual inflation factor
16 21 has been determined. Notwithstanding any other provision,

CODE: Corrective provision for [SF 505](#) (Homebuyer Savings Accounts Bill).

DETAIL: This Bill was approved by the General Assembly on April 18, 2017.

16 22 the annual inflation factor for the 2018 calendar year is one
16 23 hundred percent.

16 24 Sec. 38. 2017 Iowa Acts, House File 488, section 57, as
16 25 enacted, is amended by striking the section and inserting in
16 26 lieu thereof the following:

16 27 SEC. 57. Section 455B.474, subsection 2, paragraph a,
16 28 subparagraph (1), Code 2017, is amended to read as follows:

16 29 (1) (a) Financial responsibility required by this
16 30 subsection may be established in accordance with rules adopted
16 31 by the commission by any one, or any combination, of the
16 32 following methods: ~~insurance, guarantee, surety bond, letter~~

16 33 (i) Insurance.

16 34 (ii) Guarantee.

16 35 (iii) Surety bond.

17 1 (iv) Letter of credit, or qualification.

17 2 (v) Qualification as a self-insurer.

17 3 (b) In adopting requirements under this subsection, the
17 4 commission may specify policy or other contractual terms,
17 5 conditions, or defenses which are necessary or are unacceptable
17 6 in establishing the evidence of financial responsibility.

17 7 Sec. 39. 2017 Iowa Acts, House File 642, section 44,
17 8 subsection 1, paragraph f, unnumbered paragraph 2, if enacted,
17 9 is amended to read as follows:

17 10 From the moneys appropriated in this lettered paragraph
17 11 "f", not more than \$50,000 shall be used by the department ~~for~~
17 12 ~~expenses associated with the activities of the secondary career~~
17 13 ~~and technical programming task force convened pursuant to this~~
17 14 ~~Act to provide statewide support for work-based learning.~~

17 15 Sec. 40. 2017 Iowa Acts, House File 642, section 52,
17 16 subsection 4, paragraph c, subparagraph (4), is amended to read
17 17 as follows:

17 18 (4) Notwithstanding section 8.33, of the moneys
17 19 appropriated in this paragraph "c" that remain unencumbered
17 20 or unobligated at the close of the fiscal year, an amount
17 21 equivalent to not more than 5 percent of the amount
17 22 appropriated in this paragraph "c" shall not revert ~~by~~ but
17 23 shall remain available for expenditure for summer programs for
17 24 students until the close of the succeeding fiscal year.

17 25 Sec. 41. 2017 Iowa Acts, House File 642, section 55,
17 26 subsection 1, paragraph f, unnumbered paragraph 2, if enacted,
17 27 is amended to read as follows:

17 28 From the moneys appropriated in this lettered paragraph
17 29 "f", not more than \$25,000 shall be used by the department ~~for~~
17 30 ~~expenses associated with the activities of the secondary career~~

CODE: Corrective provision for [HF 488](#) (2017 Nonsubstantive Code Corrections Act).

DETAIL: This Act was approved by the General Assembly on March 23, 2017, and signed by the Governor on April 12, 2017.

CODE: Corrective provision for [HF 642](#) (FY 2018 Education Appropriations Bill).

DETAIL: This Bill was approved by the General Assembly on April 18, 2017.

CODE: Corrective provision for [HF 642](#) (FY 2018 Education Appropriations Bill).

DETAIL: This Bill was approved by the General Assembly on April 18, 2017.

CODE: Corrective provision for [HF 642](#) (FY 2018 Education Appropriations Bill).

DETAIL: This Bill was approved by the General Assembly on April 18, 2017.

17 31 and technical programming task force convened pursuant to this
 17 32 ~~Act to provide statewide support for work-based learning.~~

17 33 Sec. 42. 2017 Iowa Acts, Senate File 510, section 22,
 17 34 subsection 1, if enacted, is amended to read as follows:
 17 35 1. Notwithstanding section 466A.2, and the repeal of
 18 1 chapter 466A as provided in this division of this Act, on and
 18 2 after December 31, 2017, the department of agriculture and
 18 3 land stewardship shall manage moneys credited to the watershed
 18 4 improvement fund in the same manner as required in 2016
 18 5 Acts, chapter 1134, section 35, including by making necessary
 18 6 payments to satisfy any outstanding obligations incurred by the
 18 7 watershed improvement review board prior to December 31, 2017.

18 8 Sec. 43. EFFECTIVE UPON ENACTMENT. The following sections
 18 9 of this division of this Act, being deemed of immediate
 18 10 importance, take effect upon enactment:
 18 11 1. The section of this division of this Act amending section
 18 12 22.13A, subsection 5, paragraph "b".
 18 13 2. The section of this division of this Act amending section
 18 14 73A.26.
 18 15 3. The section of this division of this Act amending
 18 16 section 84A.1A, subsection 1, paragraph "a", subparagraph (8),
 18 17 subparagraph division (b), subparagraph subdivision (iii).

18 18 Sec. 44. EFFECTIVE DATE. The section of this division of
 18 19 this Act amending section 225D.1, subsection 8, takes effect
 18 20 January 1, 2018.

18 21 Sec. 45. APPLICABILITY. The section of this division of
 18 22 this Act amending section 422.7, subsection 41, paragraph a,
 18 23 subparagraph (1), subparagraph division (b), applies to tax
 18 24 years beginning on or after January 1, 2018.

18 25 DIVISION V
 18 26 WEAPONS

18 27 Sec. 46. Section 724.2A, as enacted by 2017 Iowa Acts, House
 18 28 File 517, section 5, is amended to read as follows:
 18 29 724.2A PEACE OFFICER AND RESERVE PEACE OFFICER — DEFINED.
 18 30 As used in sections 724.4, 724.6, and 724.11, "peace officer"
 18 31 ~~means a certified "peace officer" and~~ includes a reserve peace
 18 32 officer as defined in section 80D.1A.

18 33 Sec. 47. Section 724.4C, subsection 1, unnumbered paragraph
 18 34 1, as enacted by 2017 Iowa Acts, House File 517, section 8, is
 18 35 amended to read as follows:
 19 1 Except as provided in subsection 2, a person commits a

CODE: Corrective provision for [SF 510](#) (FY 2018 Agriculture and Natural Resources Appropriations Bill).

DETAIL: This Bill was approved by the General Assembly on April 18, 2017.

Provides that the following sections take effect upon enactment:

- Section 30: [HF 291](#) (2017 Public Employment Reform Act)
- Section 32: [SF 438](#) (2017 Public Improvements Bidding and Contracting Act)
- Section 34: [HF 572](#) (2017 Workforce Development Board Membership and Eligibility Act)

Provides that Section 35 of this Bill pertaining to [HF 215](#) (2017 Health Insurance Policy Act), takes effect on January 1, 2018.

Provides that Section 37 of this Bill pertaining to [SF 505](#) (Homebuyer Savings Accounts Bill) applies to tax years beginning on or after January 1, 2018.

CODE: Removes the language that a peace officer means a certified peace officer in the definition of peace officer.

CODE: Adds language to Iowa Code section [724.4C](#) relating to the possession or carrying of dangerous weapons while under the influence. Specifies that paragraphs a, b, and c of Iowa Code section [321J.2](#) apply to this provision.

19 2 serious misdemeanor if the person is intoxicated as provided
19 3 under the conditions set out in section 321J.2, subsection
19 4 1, paragraph “a”, “b”, or “c”, and the person does any of the
19 5 following:

19 6 Sec. 48. Section 724.17, subsection 1, as enacted by 2017
19 7 Iowa Acts, House File 517, section 22, is amended to read as
19 8 follows:

19 9 1. The application for a permit to acquire pistols or
19 10 revolvers may be made to the sheriff of the county of the
19 11 applicant's residence and shall be on a form prescribed
19 12 and published by the commissioner of public safety. The
19 13 application shall require only the full name of the applicant,
19 14 the driver's license or nonoperator's identification card
19 15 number of the applicant, the residence of the applicant, ~~and~~
19 16 the date and place of birth of the applicant, and whether the
19 17 applicant meets the criteria specified in section 724.15.
19 18 The applicant shall also display an identification card that
19 19 bears a distinguishing number assigned to the cardholder, the
19 20 full name, date of birth, sex, residence address, and brief
19 21 description and color photograph of the cardholder, or other
19 22 identification as specified by rule of the department of public
19 23 safety. The sheriff shall conduct a criminal history check
19 24 concerning each applicant by obtaining criminal history data
19 25 from the department of public safety which shall include an
19 26 inquiry of the national instant criminal background check
19 27 system maintained by the federal bureau of investigation or any
19 28 successor agency. A person who makes what the person knows
19 29 to be a false statement of material fact on an application
19 30 submitted under this section or who submits what the person
19 31 knows to be any materially falsified or forged documentation in
19 32 connection with such an application commits a class “D” felony.

19 33 Sec. 49. Section 724.22, subsection 9, as enacted by 2017
19 34 Iowa Acts, House File 517, section 29, is amended to read as
19 35 follows:

20 1 9. A parent, guardian, spouse, or instructor, who knowingly
20 2 provides direct supervision under subsection 5, of a person
20 3 while intoxicated as provided under the conditions set out
20 4 in section 321J.2, subsection 1, ~~or under the influence of~~
20 5 ~~an illegal drug~~ paragraph “a”, “b”, or “c”, commits child
20 6 endangerment in violation of section 726.6, subsection 1,
20 7 paragraph “i”.

20 8 Sec. 50. Section 726.6, subsection 1, paragraph i, as
20 9 enacted by 2017 Iowa Acts, House File 517, section 30, is
20 10 amended to read as follows:

CODE: Adds language to Iowa Code section [724.17](#) requiring a permit applicant for a pistol or revolver to also meet the criteria specified in Iowa Code section [724.15](#). Criteria specified in Iowa Code section [724.15](#) includes that a person be over 21 years of age; not be subject to provisions of Iowa Code section [724.26](#) dealing with possession, receipt, transportation, or dominion and control of firearms, offensive weapons, and ammunition by felons and other; or be prohibited by federal law from shipping, transporting, possessing, or receiving a firearm.

CODE: Adds language to Iowa Code section [724.22\(9\)](#) relating to persons under the age of 21 and the possession of firearms. [House File 517](#) (Weapons Omnibus Act) added language to Iowa Code section [724.22](#) stating that a parent, guardian, spouse, or instructor commits child endangerment if they knowingly provide direct supervision of a minor under the age of 21 possessing a firearm, while intoxicated as provided under Iowa Code section [321J.2\(1\)](#). Specifies that paragraphs a, b, and c of Iowa section [321J.2\(1\)](#) apply to this provision and deletes the language “or under the influence of an illegal drug.”

CODE: Adds language to Iowa Code section [726.6\(1\)](#), dealing with child endangerment. [House File 517](#) (Weapons Omnibus Act) added a new condition stating that a person commits child endangerment if the

20 11 i. Knowingly provides direct supervision of a person under
 20 12 section 724.22, subsection 5, while intoxicated as provided
 20 13 under the conditions set out in section 321J.2, subsection 1,
 20 14 ~~or under the influence of an illegal drug paragraph "a", "b",~~
 20 15 ~~or "c".~~

person knowingly provides direct supervision of a minor under the age of 21 under Iowa Code section [724.22\(5\)](#), while intoxicated as provided under the conditions set out in section [321J.2\(1\)](#) or under the influence of an illegal drug . Section 43 of this Bill specifies that paragraphs a, b, or c of Iowa Code section [321J.2\(1\)](#) apply to this provision and deletes the language "or under the influence of an illegal drug."

20 16 Sec. 51. 2017 Iowa Acts, House File 517, section 50,
 20 17 subsection 1, as enacted, is amended to read as follows:
 20 18 1. The ~~section~~ sections of this Act amending ~~section~~
 20 19 sections 724.22 and 726.6.

Adds language that the section of [HF 517](#) (Weapons Omnibus Act) amending Iowa Code section [726.6](#) (child endangerment) shall also be effective upon enactment.

DETAIL: [House File 517](#) (Weapons Omnibus Act) was approved by the General Assembly on April 6, 2017, and signed by the Governor on April 13, 2017.

20 20 Sec. 52. REPEAL. 2017 Iowa Acts, House File 517, section
 20 21 16, as enacted, is repealed.

CODE: Repeals a provision of [House File 517](#) that awarded court costs and reasonable attorney fees to an applicant or permit holder whose application was denied or permit was suspended or revoked under Iowa Code section [724.21A](#). Under this repealed provision, if the decision of the sheriff or commissioner were to be upheld on appeal, the political subdivision of the State representing the sheriff or the commissioner is awarded court costs and reasonable attorney fees.

20 22 Sec. 53. EFFECTIVE UPON ENACTMENT. The section of this
 20 23 division of this Act amending 2017 Iowa Acts, House File 517,
 20 24 section 50, subsection 1, being deemed of immediate importance,
 20 25 takes effect upon enactment.
 20 26 Sec. 54. RETROACTIVE APPLICABILITY. The section of this
 20 27 division of this Act amending 2017 Iowa Acts, House File 517,
 20 28 section 50, subsection 1, applies retroactively to April 13,
 20 29 2017.

Specifies that the section of this Bill amending [HF 517](#) (Weapons Omnibus Act) is effective upon enactment and applies retroactively to April 13, 2017.

DETAIL: [House File 517](#) (Weapons Omnibus Act) was approved by the General Assembly on April 6, 2017, and signed by the Governor on April 13, 2017.

20 30 DIVISION VI
 20 31 MERCHANT LINES

20 32 Sec. 55. Section 6A.21, subsection 1, Code 2017, is amended
 20 33 by adding the following new paragraph:
 20 34 NEW PARAGRAPH 0a. "Aboveground merchant line" means
 20 35 "merchant line" as defined in section 478.6A, subsection 1,
 21 1 excluding those merchant lines that are underground.
 21 2 Sec. 56. Section 6A.21, subsection 1, paragraph b, Code
 21 3 2017, is amended to read as follows:
 21 4 b. "Private development purposes" means the construction of,
 21 5 or improvement related to, recreational trails, recreational
 21 6 development paid for primarily with private funds, aboveground
 21 7 merchant lines, housing and residential development, or

CODE: Excludes aboveground merchant lines from the definition of "public purpose" for the condemnation of private property. Division VI of this Bill is effective upon enactment and applies to projects or condemnation proceedings commenced on or after the effective date of Division VI of this Bill.

21 8 commercial or industrial enterprise development.
 21 9 Sec. 57. Section 6A.21, subsection 2, Code 2017, is amended
 21 10 to read as follows:
 21 11 2. The limitation on the definition of public use,
 21 12 public purpose, or public improvement does not apply to the
 21 13 establishment, relocation, or improvement of a road pursuant
 21 14 to chapter 306, or to the establishment of a railway under the
 21 15 supervision of the department of transportation as provided in
 21 16 section 327C.2, or to an airport as defined in section 328.1,
 21 17 or to land acquired in order to replace or mitigate land used
 21 18 in a road project when federal law requires replacement or
 21 19 mitigation. This limitation also does not apply to utilities,
 21 20 persons, companies, or corporations under the jurisdiction of
 21 21 the Iowa utilities board in the department of commerce or to
 21 22 any other utility conferred the right by statute to condemn
 21 23 private property or to otherwise exercise the power of eminent
 21 24 domain, except to the extent such purpose includes construction
 21 25 of aboveground merchant lines.
 21 26 Sec. 58. Section 6A.22, subsection 2, paragraph a,
 21 27 subparagraph (2), Code 2017, is amended to read as follows:
 21 28 (2) The acquisition of any interest in property necessary to
 21 29 the function of a public or private utility to the extent such
 21 30 purpose does not include construction of aboveground merchant
 21 31 lines, common carrier, or airport or airport system.
 21 32 Sec. 59. EFFECTIVE UPON ENACTMENT. This division of this
 21 33 Act, being deemed of immediate importance, takes effect upon
 21 34 enactment.
 21 35 Sec. 60. APPLICABILITY. This division of this Act applies
 22 1 to projects or condemnation proceedings commenced on or after
 22 2 the effective date of this division of this Act.

22 3 DIVISION VII
 22 4 VAPOR AND ALTERNATIVE NICOTINE PRODUCTS — TAX

22 5 Sec. 61. Section 453A.1, Code 2017, is amended by adding the
 22 6 following new subsection:
 22 7 NEW SUBSECTION 7A. “Delivery sale” means any sale of
 22 8 an alternative nicotine product or a vapor product to a
 22 9 purchaser in this state where the purchaser submits the order
 22 10 for such sale by means of a telephonic or other method of
 22 11 voice transmission, mail or any other delivery service, or the
 22 12 internet or other online service and the alternative nicotine
 22 13 product or vapor product is delivered by use of mail or a
 22 14 delivery service. The sale of an alternative nicotine product
 22 15 or vapor product shall constitute a delivery sale regardless of
 22 16 whether the seller is located in this state. “Delivery sale”
 22 17 does not include a sale to a distributor or retailer of any
 22 18 alternative nicotine product or vapor product not for personal

CODE: This Division defines the term “delivery sale” for alternative nicotine and vapor products and subjects delivery sales to the sales/use tax.

A delivery sale is defined as any sale where the purchaser submits the order by telephonic or other voice transmission, through the internet or other online method, or by mail, and the product is delivered by mail or other delivery service. A delivery sale occurs whether the seller is within the State or outside of the State. Businesses engaged in delivery sales are required to obtain retail, wholesale, and vendor permits.

FISCAL IMPACT: This provision subjects alternative nicotine product and vapor sales made through nontraditional retail processes to

22 19 consumption.
 22 20 Sec. 62. Section 453A.1, subsection 20, Code 2017, is
 22 21 amended to read as follows:
 22 22 20. "Place of business" is construed to mean and include any
 22 23 place where cigarettes are sold or where cigarettes are stored
 22 24 within or without the state of Iowa by the holder of an Iowa
 22 25 permit or kept for the purpose of sale or consumption; or if
 22 26 sold from any vehicle or train, the vehicle or train on which
 22 27 or from which such cigarettes are sold shall constitute a place
 22 28 of business; or for a business within or without the state that
 22 29 conducts delivery sales, any place where alternative nicotine
 22 30 products or vapor products are sold or where alternative
 22 31 nicotine products or vapor products are kept for the purpose
 22 32 of sale.

22 33 Sec. 63. Section 453A.13, subsection 1, Code 2017, is
 22 34 amended to read as follows:
 22 35 1. PERMITS REQUIRED. Every distributor, wholesaler,
 23 1 cigarette vendor, and retailer, now engaged or who desires to
 23 2 become engaged in the sale or use of cigarettes, upon which a
 23 3 tax is required to be paid, and every retailer now engaged or
 23 4 who desires to become engaged in selling, offering for sale, or
 23 5 distributing alternative nicotine products or vapor products,
 23 6 including through delivery sales, shall obtain a state or
 23 7 retail permit as a distributor, wholesaler, cigarette vendor,
 23 8 or retailer, as the case may be.

23 9 Sec. 64. Section 453A.13, subsection 2, paragraph a, Code
 23 10 2017, is amended to read as follows:

23 11 a. The department shall issue state permits to distributors,
 23 12 wholesalers, and cigarette vendors and retailers that make
 23 13 delivery sales of alternative nicotine products and vapor
 23 14 products subject to the conditions provided in this division.
 23 15 If an out-of-state retailer makes delivery sales of alternative
 23 16 nicotine products or vapor products, an application shall be
 23 17 filed with the department and a permit shall be issued for the
 23 18 out-of-state retailer's principal place of business. Cities
 23 19 may issue retail permits to ~~dealers~~ retailers with a place of
 23 20 business located within their respective limits. County boards
 23 21 of supervisors may issue retail permits to ~~dealers~~ retailers
 23 22 with a place of business in their respective counties, outside
 23 23 of the corporate limits of cities.

23 24 Sec. 65. Section 453A.42, Code 2017, is amended by adding
 23 25 the following new subsection:

23 26 NEW SUBSECTION 2A. "Delivery sale" means any sale of
 23 27 an alternative nicotine product or a vapor product to a
 23 28 purchaser in this state where the purchaser submits the order
 23 29 for such sale by means of a telephonic or other method of
 23 30 voice transmission, mail or any other delivery service, or the
 23 31 internet or other online service and the alternative nicotine

existing permit fees and the sales/use tax. The State sales/use tax rate is 6.00%, with one percentage point of that tax rate dedicated to local school infrastructure funding and the remaining five percentage points benefiting the State General Fund. The revenue increase to the General Fund is as follows:

- FY 2018: \$765,000
- FY 2019: \$935,000
- FY 2020: \$1,145,000
- FY 2021: \$1,400,000
- FY 2022: \$1,715,000

The revenue increase to school infrastructure is as follows:

- FY 2018: \$153,000
- FY 2019: \$187,000
- FY 2020: \$229,000
- FY 2021: \$280,000
- FY 2022: \$343,000

The additional revenue is projected to continue past FY 2022.

23 32 product or vapor product is delivered by use of mail or a
23 33 delivery service. The sale of an alternative nicotine product
23 34 or vapor product shall constitute a delivery sale regardless of
23 35 whether the seller is located in this state. "Delivery sale"
24 1 does not include a sale to a distributor or retailer of any
24 2 alternative nicotine product or vapor product not for personal
24 3 consumption.

24 4 Sec. 66. Section 453A.42, subsection 8, Code 2017, is
24 5 amended to read as follows:

24 6 8. "Place of business" means any place where tobacco
24 7 products are sold or where tobacco products are manufactured,
24 8 stored, or kept for the purpose of sale or consumption,
24 9 including any vessel, vehicle, airplane, train, or vending
24 10 machine; or for a business within or without the state that
24 11 conducts delivery sales, any place where alternative nicotine
24 12 products or vapor products are sold or where alternative
24 13 nicotine products or vapor products are kept for the purpose of
24 14 sale, including delivery sales.

24 15 Sec. 67. Section 453A.47A, subsections 1, 3, and 6, Code
24 16 2017, are amended to read as follows:

24 17 1. PERMITS REQUIRED. A person shall not engage in
24 18 the business of a retailer of tobacco, tobacco products,
24 19 alternative nicotine products, or vapor products at any place
24 20 of business, or through delivery sales, without first having
24 21 received a permit as a retailer.

24 22 3. NUMBER OF PERMITS. An application shall be filed and a
24 23 permit obtained for each place of business owned or operated by
24 24 a retailer located in the state. If an out-of-state retailer
24 25 makes delivery sales of alternative nicotine products or vapor
24 26 products, an application shall be filed with the department
24 27 and a permit shall be issued for the out-of-state retailer's
24 28 principal place of business.

24 29 6. ISSUANCE. Cities ~~shall~~ may issue retail permits to
24 30 retailers located within their respective limits. County
24 31 boards of supervisors ~~shall~~ may issue retail permits to
24 32 retailers located in their respective counties, outside of the
24 33 corporate limits of cities. The city or county shall submit a
24 34 duplicate of any application for a retail permit and any retail
24 35 permit issued by the entity under this section to the alcoholic
25 1 beverages division of the department of commerce within thirty
25 2 days of issuance. The alcoholic beverages division of the
25 3 department of commerce shall submit the current list of all
25 4 retail permits issued to the Iowa department of public health
25 5 by the first day of each quarter of a state fiscal year.

25 6 Sec. 68. NEW SECTION 453A.47B REQUIREMENTS FOR MAILING OR
25 7 SHIPPING — ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS.

25 8 A retailer shall not mail, ship, or otherwise cause to be
25 9 delivered any alternative nicotine product or vapor product in

25 10 connection with a delivery sale unless all of the following
 25 11 apply:
 25 12 1. Prior to sale to the purchaser, the retailer verifies
 25 13 that the purchaser is at least eighteen years of age through or
 25 14 by one of the following:
 25 15 a. A commercially available database, or aggregate of
 25 16 databases, that is regularly used by government and businesses
 25 17 for the purpose of age and identity verification.
 25 18 b. Obtaining a copy of a valid government-issued document
 25 19 that provides the name, address, and date of birth of the
 25 20 purchaser.
 25 21 2. The retailer uses a method of mailing, shipping, or
 25 22 delivery that requires the signature of a person who is at
 25 23 least eighteen years of age before the shipping package is
 25 24 released to the purchaser.
 25 25 Sec. 69. NEW SECTION 453A.47C SALES AND USE TAX ON
 25 26 DELIVERY SALES — ALTERNATIVE NICOTINE PRODUCTS OR VAPOR
 25 27 PRODUCTS.
 25 28 1. A delivery sale of alternative nicotine products or vapor
 25 29 products within this state shall be subject to the sales tax
 25 30 provided in chapter 423, subchapter II.
 25 31 2. The use in this state of alternative nicotine products
 25 32 or vapor products purchased for use in this state through a
 25 33 delivery sale shall be subject to the use tax provided in
 25 34 chapter 423, subchapter III.
 25 35 3. A retailer required to possess or possessing a permit
 26 1 under section 453A.13 or 453A.47A to make delivery sales of
 26 2 alternative nicotine products or vapor products within this
 26 3 state shall be deemed to have waived all claims that such
 26 4 retailer lacks physical presence within this state for purposes
 26 5 of collecting and remitting sales and use tax.
 26 6 4. A retailer making taxable delivery sales of alternative
 26 7 nicotine products or vapor products within this state shall
 26 8 remit to the department all sales and use tax due on such sales
 26 9 at the times and in the manner provided by chapter 423.
 26 10 5. The director shall adopt rules pursuant to chapter 17A to
 26 11 administer this section.
 26 12 DIVISION VIII
 26 13 NATIONAL JUNIOR ANGUS SHOW

26 14 Sec. 70. 2015 Iowa Acts, chapter 132, section 25, as amended
 26 15 by 2016 Iowa Acts, chapter 1134, section 2, is amended to read
 26 16 as follows:
 26 17 SEC. 25. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
 26 18 HORSE AND DOG RACING. There is appropriated from the moneys
 26 19 available under section 99D.13 to the department of agriculture
 26 20 and land stewardship for the fiscal year beginning July 1,
 26 21 2016, and ending June 30, 2017, the following amount, or so

Amends [2015 Iowa Acts, chapter 132](#), to change the year from 2016 to 2017 for a \$10,000 appropriation to the Junior Angus Association. Specifies that any unused or unobligated funds will not revert, but will remain in the Fund for the Junior Angus Association. Division VIII of the Bill is effective upon enactment.

DETAIL: [House File 2454](#) (FY 2017 Agriculture and Natural Resources Appropriations Act) was enacted during the 2016 Legislative Session,

26 22 much thereof as is necessary, to be used for the purposes
26 23 designated:
26 24 1. For purposes of supporting the department's
26 25 administration and enforcement of horse and dog racing law
26 26 pursuant to section 99D.22, including for salaries, support,
26 27 maintenance, and miscellaneous purposes:
26 28 \$ 295,516
26 29 2. a. For allocation to the Iowa junior angus association
26 30 in connection with the ~~2016~~ 2017 national junior angus show:
26 31 \$ 10,000
26 32 b. Notwithstanding section 8.33, moneys appropriated in
26 33 this subsection that remain unencumbered or unobligated at the
26 34 close of the fiscal year shall not revert but shall remain
26 35 available to be used to support the purpose designated in
27 1 paragraph "a" until the close of the succeeding fiscal year.
27 2 Sec. 71. EFFECTIVE UPON ENACTMENT. This division of this
27 3 Act, being deemed of immediate importance, takes effect upon
27 4 enactment.

and appropriated \$10,000 for the 2016 National Junior Angus Show.
The Show did not occur in 2016 and will instead be held in July 2017.

Standing Appropriations Bill

General Fund

	Actual FY 2016	Estimated Net FY 2017	Rev Gov Rec FY 2018	FY 2018			FY 2019		
				Current Law	Final Action SF 516	Total	Current Law	Final Action SF 516	Total
<u>Administrative Services, Department of</u>									
Federal Cash Management - Standing	\$ 2,626	\$ 6,587	\$ 54,182	\$ 54,182	\$ 0	\$ 54,182	\$ 54,182	\$ 0	\$ 54,182
Unemployment Compensation - Standing	941,005	424,982	421,655	421,655	0	421,655	421,655	0	421,655
Total Administrative Services, Department of	\$ 943,631	\$ 431,569	\$ 475,837	\$ 475,837	\$ 0	\$ 475,837	\$ 475,837	\$ 0	\$ 475,837
<u>Education, Department of</u>									
State Foundation School Aid	\$ 2,952,004,924	\$ 3,089,641,100	\$ 3,183,743,218	\$ 3,198,743,218	-15,000,000	\$ 3,183,743,218	\$ 0	0	\$ 0
Nonpublic School Transportation	8,560,931	8,282,701	8,197,091	10,600,000	-2,402,909	8,197,091	10,600,000	-2,402,909	8,197,091
Sac Fox Settlement Education	100,000	96,250	95,750	100,000	-4,250	95,750	100,000	-4,250	95,750
Instructional Support	0	0	0	14,800,000	-14,800,000	0	14,800,000	0	14,800,000
Vocational Rehabilitation - MOE	0	0	0	0	106,705	106,705	0	0	0
Total Education, Department of	\$ 2,960,665,855	\$ 3,098,020,051	\$ 3,192,036,059	\$ 3,224,243,218	\$ -32,100,454	\$ 3,192,142,764	\$ 25,500,000	\$ -2,407,159	\$ 23,092,841
<u>Executive Council</u>									
Court Costs	\$ 170,657	\$ 59,772	\$ 57,232	\$ 57,232	\$ 0	\$ 57,232	\$ 57,232	\$ 0	\$ 57,232
Public Improvements	0	10,000	9,575	9,575	0	9,575	9,575	0	9,575
Drainage Assessment	125,792	20,227	19,367	19,367	0	19,367	19,367	0	19,367
Total Executive Council	\$ 296,450	\$ 89,999	\$ 86,174	\$ 86,174	\$ 0	\$ 86,174	\$ 86,174	\$ 0	\$ 86,174
<u>Legislative Branch</u>									
Legislative Branch	\$ 35,647,716	\$ 32,260,000	\$ 32,260,000	\$ 32,260,000	\$ -400,000	\$ 31,860,000	\$ 32,260,000	\$ 0	\$ 32,260,000
Total Legislative Branch	\$ 35,647,716	\$ 32,260,000	\$ 32,260,000	\$ 32,260,000	\$ -400,000	\$ 31,860,000	\$ 32,260,000	\$ 0	\$ 32,260,000
<u>Governor/Lt. Governor's Office</u>									
Governor's Transition Costs	\$ 0	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000	\$ 0	\$ 0	\$ 0
Total Governor/Lt. Governor's Office	\$ 0	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000	\$ 0	\$ 0	\$ 0
<u>Management, Department of</u>									
Technology Reinvestment Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 17,500,000	\$ 0	\$ 17,500,000
Technology Reinvest. Fund - Reduction	0	0	0	0	0	0	0	0	0
Appeal Board Claims	7,134,300	2,967,994	3,000,000	3,000,000	0	3,000,000	3,000,000	0	3,000,000
Special Olympics Fund	100,000	100,000	100,000	100,000	0	100,000	100,000	0	100,000
Cash Reserve Appropriation	0	0	0	0	20,000,000	20,000,000	0	0	0
Total Management, Department of	\$ 7,234,300	\$ 3,067,994	\$ 3,100,000	\$ 3,100,000	\$ 20,000,000	\$ 23,100,000	\$ 20,600,000	\$ 0	\$ 20,600,000
<u>Public Defense, Department of</u>									
Compensation and Expense	\$ 156,146	\$ 344,644	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
Total Public Defense, Department of	\$ 156,146	\$ 344,644	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556	\$ 342,556	\$ 0	\$ 342,556
<u>Public Safety, Department of</u>									
DPS-POR Unfunded Liabilities	\$ 5,000,000	\$ 2,500,000	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
Sex Abuse Kit Processing	0	0	0	0	200,000	0	0	0	0
Total Public Safety, Department of	\$ 5,000,000	\$ 2,500,000	\$ 5,000,000	\$ 5,000,000	\$ 200,000	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 5,000,000
<u>Revenue, Department of</u>									
Homestead Tax Credit Aid - GF	\$ 135,367,165	\$ 135,071,538	\$ 135,071,538	\$ 135,071,538	\$ 0	\$ 135,071,538	\$ 136,435,761	\$ 0	\$ 136,435,761
Elderly & Disabled Tax Credit	24,693,208	24,690,028	24,690,028	24,690,028	0	24,690,028	25,065,934	0	25,065,934
Ag Land Tax Credit - GF	39,100,000	39,100,000	39,100,000	39,100,000	0	39,100,000	39,100,000	0	39,100,000
Military Service Tax Exemption	1,962,031	1,961,234	1,961,234	1,961,234	0	1,961,234	1,904,162	0	1,904,162
Comm & Industrial Prop Tax Replacement	151,263,388	152,114,544	152,114,544	152,114,544	0	152,114,544	152,114,544	0	152,114,544
Business Property Tax Credit	100,000,000	125,000,000	125,000,000	125,000,000	0	125,000,000	125,000,000	0	125,000,000
Total Revenue, Department of	\$ 452,385,791	\$ 477,937,344	\$ 477,937,344	\$ 477,937,344	\$ 0	\$ 477,937,344	\$ 479,620,401	\$ 0	\$ 479,620,401
Unassigned Standings	\$ 3,462,329,889	\$ 3,614,651,601	\$ 3,711,237,970	\$ 3,743,445,129	\$ -12,150,454	\$ 3,731,094,675	\$ 563,884,968	\$ -2,407,159	\$ 561,477,809